

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	
)	No. 04-10382-NMG
MICHAEL ROBATEAU)	
)	
)	
)	

JOINT MOTION TO EXCLUDE TIME

On September 11, 2007, the government filed a motion to continue the then-scheduled trial date of September 24, 2007, on the basis that AUSA Connolly was expecting the birth of a child on or about September 27, 2007. In said motion, the parties jointly agreed to exclude the period of time from September 24, 2007, to the new trial date, which was later set for March 3, 2008. Although the parties agreed to exclude the time, AUSA Connolly neglected to file a separate motion for excludable delay.

On January 25, 2008, the defendant filed a motion for a pre-plea Presentence Report, which the Court granted on February 8, 2008, effectively canceling the March 3, 2008, trial.

The parties hereby jointly move this Court to formally exclude the following periods from the time within which trial must commence.

9/24/07 - 3/3/08	previously agreed upon period contained in assented-to motion to continue trial
2/8/08 - 7/9/08	period from Court's granting of motion

for pre-plea PSR to date of status
conference to set trial or plea date

United States
by:

/s/William H. Connolly
Assistant U.S. Attorney

Michael Robateau
by his counsel:

/s/ Michael Andrews (WHC)

July 9, 2008